



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 11.1.2008
COM(2007) 868 final

2008/0006 (ACC)

Proposal for a

COUNCIL DECISION

**regarding the position to be taken by the Community within
the International Coffee Council on the designation of the Depository of the
International Coffee Agreement 2007**

(presented by the Commission)

EXPLANATORY MEMORANDUM

- (1) The new International Coffee Agreement of 2007 (ICA 2007) has been negotiated within the International Coffee Organisation in London. On the occasion of the 98th Session of the International Coffee Council through Resolution 431 of 28 September 2007 the final text of the ICA 2007 was adopted. The new Agreement is called to replace the International Coffee Agreement of 2001.
- (2) At the same 98th Council session it was not possible to finally agree on the future Depository of the Agreement, due to the unexpected unavailability of the Treaty Section of the United Nations to accept the deposit of international Agreements in other languages than the official languages of the UN. As consequence, the Portuguese text of the 2007 Coffee Agreement could not be accepted, which made it impossible to continue to use the United Nations in New York as Depository.
- (3) According to paragraph (10) of Article 2 (Definitions) of the 2007 International Coffee Agreement, the future Depository shall be designated by decision of the Coffee Council under the current 2001 International Agreement to be taken by consensus before the 31 January 2008.
- (4) Taking into account that the European Community is in the position to accept, among several alternatives, the designation of the International Coffee Organisation as Depository of the 2007 Agreement, it will be necessary that the European Community will participate to the vote and express itself in favour of this option.
- (5) The purpose of this proposal is therefore to authorise the European Community to vote in favour of the International Coffee Organisation (ICO) as Depository of the 2007 Agreement.

Proposal for a

COUNCIL DECISION

**regarding the position to be taken by the Community within
the International Coffee Council on the designation of the Depository of the
International Coffee Agreement 2007**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 (1) to (4) in conjunction with Article 300(2), second subparagraph thereof,

Having regard to the proposal from the Commission¹,

Whereas:

- (1) The International Coffee Council at its 98th session through Resolution 431 of 28 September 2007 has adopted the text of a new International Coffee Agreement 2007;
- (2) The International Coffee Agreement of 2001 has been extended for one year from 1st October 2007 until 30th September 2008 by Resolution 432 of 28 September 2007;
- (3) Under the provisions of Article 2(10) of the International Coffee Agreement of 2007, the future Depository of the Agreement shall be designated by decision of the Coffee Council under the current International Coffee Agreement of 2001. This decision has to be taken by consensus before the 31 January 2008.
- (4) The fixing of the Depository is in the interest of the European Community;
- (5) The European Community's position in the International Coffee Council on this issue should be determined,

HAS DECIDED AS FOLLOWS:

Sole Article

The European Community's position within the International Coffee Council shall be to vote in favour of the designation of the International Coffee Organisation as the Depository of the International Coffee Agreement 2007

Done at Brussels,

*For the Council
The President*

¹ OJ C...